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# INTERNATIONAL COOPERATION IN THE PEACEFUL USES OF OUTER SPACE

## Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. El Walid DOUDECH (Tunisia)

## I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the item entitled "International cooperation in the peaceful uses of outer space" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 2nd and 12th to 14th meetings, on 1 October and 11, 12 and 13 November (see A/C.4/50/SR.2 and 12-14). The general debate on the item took place at the 12th to 14th meetings, on 11, 12 and 13 November.

3. The Fourth Committee had before it the following documents:

(a) Report of the Committee on the Peaceful Uses of Outer Space;[1]

(b) Report of the Secretary-General on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (A/51/276).

[1] Official Records of the General Assembly, Fifty-first Session, Supplement No. 20 (A/51/20).

4. At its 2nd meeting, on 1 October, the Fourth Committee decided to establish an open-ended Working Group on International Cooperation in the Peaceful Uses of Outer Space of the Special Political and Decolonization Committee (Fourth Committee), to be chaired by the delegation of Austria, to prepare the draft resolution on the item.

5. At the 12th meeting, on 11 November, the Chairman of the Special Political and Decolonization Committee (Fourth Committee) made an introductory statement on the item (see A/C.4/51/SR.12).

6. At the same meeting, the Chairman of the Committee on the Peaceful Uses of Outer Space introduced the report of the Committee.[1]

7. At its 14th meeting, on 13 November, the Fourth Committee, on the proposal of the representative of Uruguay, decided to circulate the Declaration of Punta Del Este, adopted at the Third Space Conference of the Americas, held at Punta del Este, Uruguay, in 1996, as an official document of the Committee.[2]

## II. CONSIDERATION OF PROPOSALS

### A. Draft resolution A/C.4/51/L.7

8. At the 14th meeting, on 13 November, the representative of Austria, on behalf of the Working Group on International Cooperation in the Peaceful Uses of Outer Space of the Special Political and Decolonization Committee (Fourth Committee), introduced a draft resolution entitled "Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries" (A/C.4/51/L.7).

9. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.7 without a vote (see para. 13, draft resolution I).

### B. Draft resolution A/C.4/51/L.8

10. Also at the 14th meeting, the representative of Austria, on behalf of the Working Group on International Cooperation in the Peaceful Uses of Outer Space of the Special Political and Decolonization Committee (Fourth Committee), introduced a draft resolution entitled "International cooperation in the peaceful uses of outer space" (A/C.4/51/L.8).

11. At the same meeting, the Committee adopted draft resolution A/C.4/51/L.8 without a vote (see para. 13, draft resolution II).

12. Japan made a statement explaining the position of its Government on draft resolution A/C.4/51/L.8.

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[2] A/C.4/51/8.

## III. RECOMMENDATION OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

13. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

### DRAFT RESOLUTION I

### Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries

The General Assembly,

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its thirty-ninth session[1] and the text of the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries, as approved by the Committee and annexed to its report,[3]

Bearing in mind the relevant provisions of the Charter of the United Nations,

Recalling notably the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[4]

Recalling also its relevant resolutions relating to activities in outer space,

Bearing in mind the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,[5] and of other international conferences relevant in this field,

Recognizing the growing scope and significance of international cooperation among States and between States and international organizations in the exploration and use of outer space for peaceful purposes,

Considering experiences gained in international cooperative ventures,

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[3] Ibid., annex IV.

[4] Resolution 2222 (XXI), annex.

[5] See Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982 and corrigenda (A/CONF.101/10 and Corr.1 and 2).

Convinced of the necessity and the significance of further strengthening international cooperation in order to reach broad and efficient collaboration in this field for the mutual benefit and in the interest of all parties involved,

Desirous of facilitating the application of the principle that the exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Adopts the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries, set forth in the annex to the present resolution.

ANNEX

## Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries

1. International cooperation in the exploration and use of outer space for peaceful purposes (hereafter "international cooperation") shall be conducted in accordance with the provisions of international law, including the Charter of the United Nations and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.[4] It shall be carried out for the benefit and in the interest of all States, irrespective of their degree of economic, social or scientific and technological development, and shall be the province of all mankind. Particular account should be taken of the needs of developing countries.

2. States are free to determine all aspects of their participation in international cooperation in the exploration and use of outer space on an equitable and mutually acceptable basis. Contractual terms in such cooperative ventures should be fair and reasonable and they should be in full compliance with the legitimate rights and interests of the parties concerned, as, for example, with intellectual property rights.

3. All States, particularly those with relevant space capabilities and with programmes for the exploration and use of outer space, should contribute to promoting and fostering international cooperation on an equitable and mutually acceptable basis. In this context, particular attention should be given to the benefit and the interests of developing countries and countries with incipient space programmes stemming from such international cooperation conducted with countries with more advanced space capabilities.

4. International cooperation should be conducted in the modes that are considered most effective and appropriate by the countries concerned, including, inter alia, governmental and non-governmental; commercial and non-commercial;

global, multilateral, regional or bilateral; and international cooperation among countries in all levels of development.

5. International cooperation, while taking into particular account the needs of developing countries, should aim, inter alia, at the following goals, considering their need for technical assistance and rational and efficient allocation of financial and technical resources:

(a) Promoting the development of space science and technology and of its applications;

(b) Fostering the development of relevant and appropriate space capabilities in interested States;

(c) Facilitating the exchange of expertise and technology among States on a mutually acceptable basis.

6. National and international agencies, research institutions, organizations for development aid, and developed and developing countries alike should consider the appropriate use of space applications and the potential of international cooperation for reaching their development goals.

7. The Committee on the Peaceful Uses of Outer Space should be strengthened in its role, among others, as a forum for the exchange of information on national and international activities in the field of international cooperation in the exploration and use of outer space.

8. All States should be encouraged to contribute to the United Nations Programme on Space Applications and to other initiatives in the field of international cooperation in accordance with their space capabilities and their participation in the exploration and use of outer space.

## DRAFT RESOLUTION II

### International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolution 50/27 of 6 December 1995,

Deeply convinced of the common interest of mankind in promoting the exploration and use of outer space for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes,

Stressing the importance of the widest possible adherence to international treaties that promote the peaceful uses of outer space,

Concerned about the possibility of an arms race in outer space,

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and application as well as in various national and cooperative space projects, which contribute to international cooperation, and the importance of further international cooperation in this field,

Taking note of the report of the Secretary-General[6] on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,[5]

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its thirty-ninth session,[1]

1. Endorses the report of the Committee on the Peaceful Uses of Outer Space;

2. Invites States that have not yet become parties to the international treaties governing the uses of outer space[7] to give consideration to ratifying or acceding to those treaties;

3. Notes that, at its thirty-fifth session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, in its working groups, continued its work as mandated by the General Assembly in its resolution 50/27;[8]

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[6] A/51/276.

[7] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

[8] See Official Records of the General Assembly, Fifty-first Session, Supplement No. 20 (A/51/20), sect. II.C.

4. Endorses the recommendations of the Committee that the Legal Subcommittee, at its thirty-sixth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(a) Continue its consideration of the question of review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;[9]

(b) Continue, through its working group, its consideration of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

5. Also endorses the recommendation of the Committee that the Legal Subcommittee, at its thirty-sixth session, should suspend consideration in its working group of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space pending the results of the work in the Scientific and Technical Subcommittee, without prejudice to the possibility of reconvening its working group on that item if in the opinion of the Legal Subcommittee sufficient progress was made in the Scientific and Technical Subcommittee at its session in 1997 to warrant the reconvening of the working group;

6. Notes that deliberations on the question of the geostationary orbit have been undertaken by the Legal Subcommittee as reflected in its report,[10] on the basis of recent proposals which might provide a new and enhanced basis for future work;

7. Endorses the recommendations and agreements concerning the organization of work in the Legal Subcommittee;

8. Notes that the Chairman of the Legal Subcommittee, at its thirty-fifth session, conducted open-ended informal consultations with all members of the Subcommittee on the working methods of the Subcommittee, including the consideration of possible additional items for inclusion in its agenda, as outlined in the report of the Committee,[11] and that the implementation of several recommendations made by the Subcommittee at its thirty-fourth session resulted in a general recognition of the improvements in the working methods of the Subcommittee at its thirty-fifth session;

9. Welcomes the fact that, pursuant to its request in paragraph 12 of its resolution 50/27, the Legal Subcommittee reviewed its requirement for summary records and that, beginning with its thirty-sixth session, it would be provided with unedited verbatim transcripts in lieu of summary records;

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[9] See resolution 47/68 of 14 December 1992.

[10] See Official Records of the General Assembly, Fifty-first Session, Supplement No. 20 (A/51/20), sect. II.C.

[11] Ibid., sect. II.C.4.

10. Notes with satisfaction that, in accordance with paragraph 11 of its resolution 50/27, the Committee was provided, at its thirty-ninth session, with unedited verbatim transcripts of that session in lieu of verbatim records and that the Committee would evaluate the use of unedited verbatim transcripts at its fortieth session to inform the General Assembly at its fifty-second session of the experience of the Committee with the transcripts;

11. Also notes that, in accordance with paragraph 9 of its resolution 50/27, the Committee reconvened, at its thirty-ninth session, the Working Group of the Whole to examine the working methods of the Committee and its subsidiary bodies;

12. Endorses the recommendations of the Committee as contained in the report of its thirty-ninth session with regard to its working methods;[12]

13. Notes that, in accordance with the agreement of the Committee at its thirty-ninth session, the Chairman of the Committee had undertaken and will continue to hold, as necessary, inter-sessional informal consultations among the members of the Committee with a view to reaching consensus decisions before the fortieth session of the Committee on the modalities of establishing a new composition of bureaux, keeping in view the principles of equitable geographical representation and rotation, and that all proposals made by delegations and groups of delegations, including the need for agenda restructuring and an examination of session duration, were taken into account in the framework of those informal consultations;

14. Agrees that if consensus agreement is reached among the members of the Committee on measures relating to the working methods of the Committee and its subsidiary bodies, including the composition and election of the bureaux, duration of sessions of those bodies and inclusion of additional items in the agenda of the Legal Subcommittee, those measures should be implemented during the 1997 sessions of the Committee and its subsidiary bodies as the transitional arrangements for the year 1997;

15. Notes that the Scientific and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space, at its thirty-third session, continued its work as mandated by the General Assembly in its resolution 50/27;[13]

16. Notes with satisfaction that the Scientific and Technical Subcommittee continued to consider on a priority basis the agenda item on space debris and that the work of the Subcommittee at its thirty-third session had concentrated on the topic of measurements of space debris, understanding of data and effects of this environment on space systems, based on the multi-year work plan adopted by the Subcommittee at its thirty-second session;[14]

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[12] Ibid., sect. II.E.3.

[13] Ibid., sect. II.B.

[14] A/AC.105/605, para. 83.

17. Agrees that the multi-year work plan for the consideration of the item on space debris should continue to be implemented with flexibility;

18. Also endorses the recommendations of the Committee that the Scientific and Technical Subcommittee, at its thirty-fourth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(a) Consider the following items on a priority basis:

(i) United Nations Programme on Space Applications and the coordination of space activities within the United Nations system;

(ii) Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space;[5]

(iii) Matters relating to remote sensing of the Earth by satellites, including, inter alia, applications for developing countries;

(iv) Use of nuclear power sources in outer space;

(v) Space debris;

(b) Consider the following items:

(i) Questions relating to space transportation systems and their implications for future activities in space;

(ii) Examination of the physical nature and technical attributes of the geostationary orbit and of its utilization and applications, including, inter alia, in the field of space communications, as well as other questions relating to space communications developments, taking particular account of the needs and interests of developing countries;

(iii) Matters relating to life sciences, including space medicine;

(iv) Progress in national and international space activities related to the Earth's environment, in particular progress in the international geosphere-biosphere (global change) programme;

(v) Matters relating to planetary exploration;

(vi) Matters relating to astronomy;

(vii) The theme fixed for special attention at the thirty-fourth session of the Scientific and Technical Subcommittee: "Space systems for direct broadcasting and global information systems for space research"; the Committee on Space Research and the International Astronautical Federation, in liaison with Member States, should be invited to arrange a symposium, with as wide a participation as possible, to be

held during the first week of the Subcommittee's session, to complement discussions within the Subcommittee on the special theme;

19. Considers, in the context of paragraph 18 (a) (ii) above, that it is particularly urgent to implement the following recommendations:

(a) All countries should have the opportunity to use the techniques resulting from medical studies in space;

(b) Databases at the national and regional levels should be strengthened and expanded and an international space information service should be established to function as a centre of coordination;

(c) The United Nations should support the creation of adequate training centres at the regional level, linked, whenever possible, to institutions implementing space programmes; necessary funding for the development of such centres should be made available through financial institutions;

(d) The United Nations should organize a fellowship programme through which selected graduates or postgraduates from developing countries should get in-depth, long-term exposure to space technology or applications; it is also desirable to encourage the availability of opportunities for such exposure on other bilateral or multilateral bases outside the United Nations system;

20. Endorses the recommendations of the Working Group of the Whole of the Scientific and Technical Subcommittee, as endorsed by the Committee and as contained in the report of the Working Group of the Whole;[15]

21. Also endorses the recommendation of the Committee that the Scientific and Technical Subcommittee should reconvene, at its thirty-fourth session, the Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, to continue its work;

22. Invites Member States to report to the Secretary-General on a regular basis with regard to national and international research concerning the safety of space objects with nuclear power sources on board;

23. Endorses the United Nations Programme on Space Applications for 1997, as proposed to the Committee by the Expert on Space Applications;[16]

24. Emphasizes the urgency and importance of implementing fully the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, in particular those relating to the promotion of the establishment and strengthening of regional mechanisms of cooperation through the United Nations system;

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[15] A/AC.105/637, annex II.

[16] A/AC.105/625, sect. I.

25. Invites all Governments within the organizations of the United Nations system and other intergovernmental organizations working in the field of outer space or on space-related matters to take effective action for the implementation of the recommendations of the Conference, and also invites the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the recommendations of the Conference;

26. Notes with satisfaction that, in accordance with paragraph 30 of resolution 50/27 and in the context of paragraph 19 (c) above, the Centre for Space Science and Technology Education in Asia and the Pacific had begun its first education programme in April 1996 and that significant progress has also been achieved in establishing regional centres for space science and technology education in the other regions covered by the regional commissions;

27. Notes that, pursuant to its recommendation in paragraph 33 of resolution 50/27, the Scientific and Technical Subcommittee, at its thirty-third session, continued to discuss the possibility of holding a third United Nations Conference on the Exploration and Peaceful Uses of Outer Space before the turn of the century, and that the Committee continued these discussions at its thirty-ninth session with a view to making a final recommendation to the General Assembly at its fifty-first session;

28. Endorses the recommendation of the Committee that a special session of the Committee, open to all Member States of the United Nations (UNISPACE III), should be convened at the United Nations Office at Vienna, preferably in 1999, unless progress towards agreeing on an agenda at the Scientific and Technical Subcommittee at its thirty-fourth session makes it more appropriate to consider the year 2000;[17]

29. Requests the Committee and the Scientific and Technical Subcommittee to act as the Preparatory Committee and Advisory Committee and the Office for Outer Space Affairs to act as the executive secretariat for UNISPACE III; and also requests the Preparatory Committee and the Advisory Committee to carry out the tasks entrusted to them in paragraphs 178 to 185 of the report of the Committee[18] and to report to the General Assembly at its fifty-second session on the progress made in the preparatory work for UNISPACE III;

30. Recognizes the contribution of the Third Space Conference of the Americas, held at Punta del Este, Uruguay in 1996, towards promoting regional cooperation in space activities, as well as the meetings mentioned in paragraph 13 of the report of the Secretary-General on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,[6] and calls upon the regional commissions to support those initiatives;

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[17] See Official Records of the General Assembly, Fifty-first Session, Supplement No. 20 (A/51/20), sect. II.E.

[18] Ibid.

31. Recommends that more attention be paid to all aspects related to the protection and the preservation of the outer space environment, especially those potentially affecting the Earth's environment;

32. Considers that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, and also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee;

33. Urges all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and uses of outer space for peaceful purposes;

34. Emphasizes the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, particularly in the developing countries;

35. Requests the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes, taking into account the views expressed at its thirty-ninth session and at the fifty-first session of the General Assembly, and to report thereon to the Assembly at its fifty-second session;

36. Also requests the Committee to continue to consider at its fortieth session its agenda item entitled "Spin-off benefits of space technology: review of current status";

37. Endorses the decision of the Committee to grant permanent observer status to the Planetary Society;

38. Requests the specialized agencies and other international organizations to continue and, where appropriate, enhance their cooperation with the Committee and to provide it with progress reports on their work relating to the peaceful uses of outer space;

39. Requests the Committee to continue its work, in accordance with the present resolution, to consider, as appropriate, new projects in outer space activities, and to submit a report to the General Assembly at its fifty-second session, including its views on which subjects should be studied in the future.

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